

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PRISM INNOVATIONS, INC. and
RICHARD F. O'BOYLE, JR.,

Plaintiffs,

ORDER

12-CV-1313 (JS)(ETB)

- against -

HEMOCARE.COM, ET AL.,

Defendants.

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APPEARANCES:

For Plaintiffs: Richard F. O'Boyle, Jr., Pro Se
50 Amuxen Court
Islip, NY 11751

For Defendants: No appearances

SEYBERT, District Judge:

The Court's records reflect that the Complaint in this action was filed on March 16, 2012. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 120 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, if service is not made upon Defendants by July 16, 2012, or Plaintiffs fail to show good cause why such service has not been effected, this action will be dismissed without prejudice. **Plaintiffs are to provide a copy of this Order**

to Defendants along with the Summons and Complaint.

Insofar as Plaintiff O'Boyle has filed this case pro se on behalf of himself and his corporation, Prism Innovations, Inc., he is advised that the corporate Plaintiff cannot litigate its case pro se. See Lattanzio v COMTA, 481 F.3d 137, 139-40 (2d Cir. 2007); Eagle Associates v. Bank of Montreal, 926 F.2d 1305, 1308 (2d Cir. 1991); Shapiro, Bernstein & Co. v. Cont'l Record Co., 386 F.2d 426, 427 (2d Cir. 1967). Accordingly, if Prism Innovations, Inc., intends to continue with this case, it must retain counsel to represent it in this action and **counsel shall file a notice of appearance within thirty (30) days of the date of this Order.**

Plaintiffs are required to advise the Clerk of Court of any change of address. Failure to keep the Court informed of Plaintiffs' current address means the Court will not know where to contact Plaintiffs and may result in dismissal of the case.

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: May 24, 2012
Central Islip, New York